

Appendix E
Request for Proposal (RFP) Grant Application

**CALIFORNIA’S ACCESS TO VISITATION
GRANT PROGRAM FOR ENHANCING
RESPONSIBILITY AND OPPORTUNITY FOR
NONRESIDENTIAL PARENTS**

REQUEST FOR PROPOSALS (RFP)
GRANT APPLICATION

Personal Responsibility and Work Opportunity
Reconciliation Act of 1996
(Pub. L. #104-193)
Title III, Subtitle I, Section 469B
of the Social Security Act

RFP CFCC—Fiscal Year 2001–2002
Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts

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| <p style="text-align: center;">Request for Proposals (RFP) Access to Visitation Grant Program</p> |
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I. INTRODUCTION

The Judicial Council of California, Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), announces the availability of federal grant funds for California's Access to Visitation Grant Program. Funding is limited to supervised visitation and exchange services, education about protecting children during family disruption, and group counseling services for parents and children. All family courts throughout California are eligible to apply for and receive the Access to Visitation Grant funds. Grant awards will range from \$30,000 to \$80,000, totaling approximately \$800,000 statewide. Programs will be required to provide 15 percent matching funds. The funding period for the 2001–2002 grants is October 1, 2001 to September 30, 2002.

Program Administration

Funding to all states for noncustodial access and visitation programs is provided by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193), title III, subtitle I—Enhancing Responsibility and Opportunity for Nonresidential Parents, section 469B of the Social Security Act (Appendix J). The purpose of the federal grant program is to enable states to establish and administer programs to support and to facilitate noncustodial parents' access to and visitation of their children. The federal funding allocation to each state is based on the number of single-parent households. California has the most single heads of households in the United States and therefore receives the largest portion of federal funds. The Judicial Council is required to apply for these funds annually.¹

During the first four years of funding for the Access to Visitation Grant Program, the California Department of Social Services (CDSS) applied for and received the federal grant funds, and an advisory group² was convened as instructed by Family Code section 10101. The Judicial Council of California was charged with the administration of these grant funds at the request of the Access to Visitation Advisory Group and CDSS and entered into an interagency agreement with CDSS.

¹ Fam. Code, § 3204(a).

² The Access to Visitation Advisory Group was composed of representatives from the Judicial Council, Administrative Office of the Courts, the Family and Juvenile Law Advisory Committee, the legislature, the State Bar of California, public agencies, and other advocacy groups.

In 1999, Assembly Bill 673 (Stats. 1999, ch. 1004 (Honda)) amended the funding and administrative requirements for the grant program. This new legislation enacted Family Code sections 3201–3204, which charged the Judicial Council with the administration of the grant funds.

It is the intent of the California Legislature that programs achieve the goal of promoting and encouraging healthy relationships between noncustodial or joint custodial parents and their children while ensuring the health, safety, and welfare of the children.

II. GENERAL INFORMATION

Eligibility

All family courts throughout California are eligible to apply for and receive the Access to Visitation Grant funds. These grant funds are 100 percent federal funds. Programs will be required to provide 15 percent matching funds. Program administrators are encouraged to collaborate with other county courts, with one court acting as a lead agency or an administering court. The family law division of the superior court shall administer the programs. Contract agreements will be made only with the designated administering court. Any other agencies desiring to participate must do so as part of the county's Access to Visitation Grant application. Subject to the availability of federal funding, grant funds may be used to expand or augment existing programs but may not be used to supplant existing funding for those programs. The proposed programs must be incorporated within existing family court services or family court programs or be subcontracted to nonprofit agencies.

Collaboration with multiple courts and counties is strongly encouraged to maximize the use of resources.

Applicants claiming private nonprofit status must provide: (a) a signed copy of the certification and assurance forms of the federal government (Appendix G), (b) a letter from the U.S. Department of the Treasury, Internal Revenue Service, classifying the agency as a nonprofit agency, (c) letter of commitment (Appendix D); and items from the Nonprofit Subcontracting List form (Appendix H).

Letters of Commitment

All applicants must attach a letter of commitment from each of the subcontracting agencies for the proposed program. The letter of commitment must be on the letterhead of the agency and signed by the executive officer or director, and shall:

- ❑ Identify partners and describe the collaborative relationship among those partners;
- ❑ Describe in detail the roles and responsibilities of each partner agency or organization; and
- ❑ Indicate a statement of intention to collaborate.

The court must submit copies of actual subcontracts upon execution of a grant award.

Grant Topics

The intent of the grant funds are to enable parents and children to participate in supervised visitation and exchange services with a custodial party, a noncustodial party, or joint custodians and to participate in education and group counseling programs, irrespective of whether the parties are or are not married to each other or are currently living apart on a permanent or temporary basis.³

A. Supervised Visitation and Exchange Services

When supervised visitation and neutral exchange services are offered, information must be provided to the parties regarding the circumstances under which these services are made available (for example, by court order or other specific circumstances).

B. Parent Education

Pursuant to Family Code section 3202, education about protecting children during family disruption includes education on parenting skills and the impact of parental conflict on children, how to put a parenting agreement into effect, and the responsibility of both parents to comply with custody and visitation orders.

C. Group Counseling

When counseling services are offered, they may include services for children as well as for parents. The services must be available to parents or guardians involved in child custody or visitation disputes, regardless of marital status.

³ Fam. Code, § 3203.

Criteria for Recipients of Services

The recipients of services proposed should be separated, separating, divorced, or unmarried parents and their children who are involved in custody and visitation proceedings under the Family Code. The services may be offered prior to a court hearing, during the court process, and/or postdecree and can be primarily preventive or designed as interventions. Funds for this grant may not be used to provide services in dependency cases or as part of any dependency proceedings.

III. PROGRAM FUNDING

Grant ranging from \$30,000 to \$80,000 each, totaling approximately \$800,000 statewide will be awarded to the administrative courts. Funds for the Access to Visitation Grant Program are limited. Each year, the amount of funds requested far exceeds the amount available to award. The review process is designed to meet the statewide objectives of funding meritorious projects while ensuring that services are available to a broad population of parties. Applicants are encouraged to apply at the appropriate amount for proposed programs or services. Due to the high demand for the types of services funded under this grant program and the number of anticipated grant proposals, some counties may not receive funding. **The Judicial Council determines the final number and amounts of grant awards and reserves the right to fund programs at less than the requested amount.**

IV. REVIEW PROCESS AND SELECTION CRITERIA

Review Process

The grant funds shall be awarded with the intent of approving as many proposals as possible while ensuring that each approved proposal is designed to satisfy the overall goals of the Legislature and the grant program. Special consideration for grant funds will be given to proposals that coordinate supervised visitation and exchange services, education, and group counseling with existing court-based programs and services. At the time of submittal, each proposal will be reviewed by the Access to Visitation Grant staff for compliance with application instructions and RFP requirements. A proposal may be rejected if it is incomplete or if it contains any alterations of format or other irregularities of any kind.

Applications that meet the requirements will be submitted to the Selection Review Committee (SRC), which will be composed of individual experts in the respective grant topic areas.⁴ The SRC will evaluate and score the proposals based on their narrative

⁴ The Selection Review Committee will consist of statewide experts representing professional staff at the Judicial Council, the Administrative Office of the Courts, and the Center for Families, Children & the Courts; members of the Family and Juvenile Law Advisory Committee; and members of other Judicial Council advisory committees.

sections. The SRC will have the discretion to rank proposals based on answers to RFP questions and to reallocate or cut program funding. As a group, the SCR will generate an average score and rank for each application and make final funding recommendations. The recommendations from the SRC will then be presented to the Judicial Council's Executive and Planning Committee for review and approval. The Executive and Planning Committee is responsible for making the final funding decisions regarding the number and amounts of grant awards.

Evidence that indicates that the applicant, applicants' staff, or consultants have in any way attempted to influence the confidential nature of the review through contacts with Judicial Council staff or members of the SRC will result in the automatic rejection of proposal.

The proposed budget may be negotiated at the option of the Judicial Council, and budget line item and revised work plan adjustments may be requested, but the total amount in the proposal application may not be increased.

Selection Criteria

Proposals will be evaluated and scored on the basis of the criteria below. An asterisk designates criteria set forth by statute. Applications will be scored on a scale of 0–200 points. The questions in the proposal narrative section each have a maximum point value. An omitted response results in no score for the section omitted. Each application will be scored in accordance with the quality of the proposal and the responsiveness within each RFP application section. The response to each selection criterion must be identified with the same item number as in the proposal narrative section.

1. Statement of need (30 points)
2. *Promotion and encouragement of healthy parent and child relationships between noncustodial parents and their children while ensuring the health, safety, and welfare of the children (30 points)
3. *Number of counties or regions participating (15 points)
4. *Availability of services to a broad population of parties (30 points)
5. Other program information (10 points)
6. *Coordination with other community services (20 points)
7. *Hours of service delivery (20 points)
8. *Cost-effectiveness (15 points)
9. *Ability to expand existing services (15 points)
10. Program evaluation (15 points)

In addition to the above criteria, the SRC will have the additional discretion to consider funding based on:

- ❑ Geographically located services; and
- ❑ The applicant's history of fiscal management and program administration.

Proposals shall meet all state and federal requirements for receiving Access to Visitation Grant funds. Proposals must conform to the general terms and conditions described below and applicants must submit all documents by the deadline.

V. GENERAL TERMS AND CONDITIONS

Grant Compliance Requirements

Applicants awarded grant funding must meet all federal and state grant requirements and adhere to the terms and conditions of the standard contract agreement. **The Judicial Council will not award grant funding to programs that do not meet grant compliance requirements.** The Judicial Council will administer, oversee, and evaluate grant recipient programs.

All supervised visitation and exchange programs receiving Access to Visitation Grant funds must comply with all requirements of the Uniform Standards of Practice for Providers of Supervised Visitation as set forth in section 26.2 of the California Standards of Judicial Administration.

Additional Requirements

All grant proposals must meet the requirements contained in Appendix A. In addition, grant proposals must meet and address the following requirements:

1. It is mandatory that the proposed programs comply with Family Code sections 3201-3204 (Appendix L).
2. **Supervised visitation providers are required to complete the Compliance Statement for the Uniform Standards of Practice for Providers of Supervised Visitation** (Appendix B). Courts awarded grant funding must certify that the proposed program comply with the requirements set forth in Family Code section 3202.
3. If a fee for services is charged, it must be on a sliding scale that gives access to parents who can afford to pay only a small fee or no fee at all.
4. The family law division of the superior court in each county must approve sliding scale fees that are based on the ability to pay for all parties, including low-income families, participating in supervised visitation and exchange, education, and group counseling programs.
5. Courts may use family court services, including the office of the family law facilitator, or may contract with nonprofit agencies and other eligible providers to provide or coordinate services. *Eligible providers* for the purpose of receiving grant funding are as follows.
 - a) Providers of supervised visitation and exchange services are local public agencies or nonprofit entities that satisfy the Uniform Standards of Practice for Providers of Supervised Visitation.

- b) Providers of group counseling are professionals licensed to practice psychotherapy in this state, including, but not limited to, a licensed psychiatrists, licensed psychologists, licensed clinical social workers and licensed marriage and family therapists; or mental health interns working under the direct supervision of professionals licensed to practice psychotherapy.
 - c) Providers of education are professionals with a bachelor's or master's degree in human behavior, child development, psychology, counseling, family-life education, or a related field having specific training in issues relating to child and family development, substance abuse, child abuse and neglect, child sexual abuse, domestic violence, effective parenting, and the impact of divorce and interparental conflict on children; or an interns working under the supervision of professionals.
6. The proposed programs and grant funds for these programs are an addition to current activities and that the funds will not be used to support existing expenditures.
 7. Recipients must comply with fiscal and administrative requirements.
 8. Recipients of funding are required to submit quarterly reports as instructed in the contract agreement. Loss of future grant awards and/or suspension of funds may result if reports are delinquent.
 9. Recipients must comply with section 508 of Public Law 103-333, which requires most documents describing programs and projects funded in whole or in part with federal funds to indicate the extent to which the program or project is funded by federal funds.
 10. Funds awarded for these grants are not to be used for construction and/or purchase of land.
 11. Grantees must ensure program compliance with Public Law 103-277, part C: Environmental Tobacco Smoke (known as the Pro-Children Act of 1994). This includes requiring that smoking not be permitted in any portion of any indoor facility owned or leased or contracted by an entity and used routinely or regularly for the provision of health care services, daycare, or education to children under the age of 18 if the services are funded by federal programs, whether directly or through state and local governments. Federal programs include grants, cooperative agreements, loans or loan guarantees, and contracts. The law does not apply to children's services provided in private residences or in facilities used for inpatient drug and alcohol treatment.
 12. All recipients of federal grants are required to comply with nondiscrimination requirements contained in federal laws. Applicants should read the assurance forms required with the application funds to understand the applicable legal and administrative requirements.

VI. TIMELINE

| | |
|------------------------|--|
| April 20, 2001 | Release of RFP grant application |
| May 1, 2001 | Applicants workshop in Los Angeles at the Superior Court of Los Angeles County, 9:30 a.m. to 12:30 p.m. |
| May 2, 2001 | Applicants workshop in San Francisco at the AOC, 9:30 a.m. to 12:30 p.m. |
| June 29, 2001 | RFP grant applications due by 5:00 p.m. |
| July 10, 2001 | Selection Review Committee meeting—SRC evaluates, scores, ranks, and makes funding recommendations to the Judicial Council Executive and Planning Committee |
| July 26, 2001 | Final report pertaining to grant award recommendation due to Judicial Council Executive and Planning Committee |
| August 2, 2001 | Judicial Council Executive and Planning Committee meeting—the committee reviews SRC funding recommendations and grants awards. The Executive and Planning Committee makes the final funding decision. |
| August 15, 2001 | Notification of grant award |
| October 1, 2001 | Grant period begins |

Applicants Workshops

The Judicial Council will provide two applicants workshops for administrative courts intending to apply for fiscal year 2001–2002 grant funding. The purpose of the applicants' workshop is to explain the application process for prospective applicants. The applicant court and/or the project director for the court must attend the workshop either in person or via teleconference (see enclosed flyer). Nonprofit agencies and subcontractors of the collaborative court are also encouraged to attend either in person or via teleconference.

The first applicant's workshop is scheduled for May 1, 2001, in Los Angeles at the Superior Court of Los Angeles County, from 9:30 a.m. to 12:30 p.m. The second applicant's workshop is scheduled for May 2, 2001, in San Francisco at the Administrative Office of the Courts, from 9:30 a.m. to 12:30 p.m. Persons participating via teleconference must call 1-866-223-4039 or in San Francisco, 415-355-5489.

VII. HOW TO APPLY

Applicants should carefully read all instructions and complete the process described in the application (Appendix A). Applicants should include all of the required information listed in the RFP, including attachments.

All applications must be received by 5:00 p.m., Friday, June 29, 2001. Applications that are late or incomplete will be disqualified and not reviewed.

All materials submitted in response to this RFP will become the property of the Judicial Council, and any information therein may be utilized by the council and returned only at the option of the council. All proposals received will become part of public records and may be made available to other programs and interested parties and organizations.

Instructions for Submission of Proposals

Review the application checklist prior to making copies of your grant application for submission. Applicants must **submit one original and 12 copies** of the request for proposals grant application to the address below:

Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts
Attn: Shelly Danridge, Access to Visitation Grant Coordinator
455 Golden Gate Avenue, Sixth Floor
San Francisco, California 94102-3660

Applications transmitted by facsimile or email *will not be accepted* under any circumstances. Please do not send additional information or materials that have not been requested. Applications must follow the specified format:

- ☐ The application must be assembled in the order listed on the application checklist;
- ☐ The application must include a one-page program abstract;
- ☐ The proposal narrative may not exceed 12 pages, single-spaced;
- ☐ Margins must be at a minimum of one inch and the font size must be 12 point;
- ☐ Pages must be consecutively numbered, including attachments;
- ☐ The application may be stapled; and
- ☐ The proposal may not be printed in color and may not be spiral-or tape-bound.

Contact Information

Questions regarding the application process or the grant application must be submitted in writing to Shelly Danridge, Access to Visitation Grant Coordinator, at the above address or by fax at 415-865-4399.

APPENDIX A

RFP GRANT APPLICATION

**Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts**

Login No.

(for official use only)

**California's Access to Visitation Grant Program for
Enhancing Responsibility and Opportunity for
Nonresidential Parents**

Request for Proposals (RFP) Grant Application

Due Date: June 29, 2001, 5:00 p.m.

No Faxes or E-mail will be Accepted

Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts
Attn: Shelly Danridge, Access to Visitation Grant Coordinator
455 Golden Gate Avenue, Sixth Floor
San Francisco, California 94102-3660

Program Name: _____

*City*_____ *County*_____

*Applicant Court*_____

Please submit one original and 12 copies.

APPLICATION CHECKLIST

Applicant Court/County: _____

Appendix A

- _____ RFP Grant Application Title Page
- _____ Program Abstract
- _____ Proposal Narratives (not to exceed 12 pages)
 - 1. Statement of need
 - 2. Promotion and encouragement of healthy parent and child relationships between noncustodial parents and their children while ensuring the health, safety, and welfare of the children
 - 3. Number of counties or regions participating
 - 4. Availability of services to a broad population of parties
 - 5. Other program information
 - 6. Coordination with other community services
 - 7. Hours of service delivery
 - 8. Cost-effectiveness
 - 9. Ability to expand existing services
 - 10. Program evaluation

Appendix B

- _____ Compliance Statement for the Uniform Standards of Practice for Providers of Supervised Visitation

Appendix C

- _____ Collaborating Partners Form

Appendix D

- _____ Sample Letter of Commitment
- _____ Three Letters of Support

Appendix E & F

- _____ Budget Narrative Instructions and Budget Forms

Appendix G

- _____ Certification Form
- _____ Assurance Form

Appendix H (Nonprofit Subcontracting List)

- _____ Federal employer identification numbers (FEINs)
- _____ Contact Persons/Telephone Numbers/Email
- _____ Proof of Nonprofit Status

APPLICATION TITLE PAGE

Type of Program: (Check the description that best reflects your program.)

- ☐ Single program with single site (not a partnership)
- ☐ Single program with multi-site (not a partnership)
- ☐ Part of a comprehensive partnership
- ☐ Multi-site, multi-county program

Applicant Court:

Contact Person:

Address:

City, State, Zip:

Phone and Fax:

E-mail:

Project Director:

Organization:

Address:

City, State, Zip:

Phone & Fax:

E-mail:

Court Personnel Authorized to Sign Contract: _____

Address:

City, State, Zip:

Phone and Fax:

E-mail:

APPLICATION TITLE PAGE (page 2)

Issue/Priority Areas: (Check all those that apply to proposed program)

- ☐ Supervised visitation and exchange services
- ☐ Parent education
- ☐ Group counseling

Geographical Area Served: (Indicate cities or counties in which service recipients reside):

Sites (towns or cities) where services provided:

Funds Requested: _____

PROGRAM ABSTRACT

Please provide a **one-page summary** that highlights the goals of the program and the expected results. This should include how the proposed program will support and facilitate noncustodial parents' access to and visitation of their children.

The purpose of the program abstract is to give reviewers a concise overview of the main points covered in the application for funding. The program abstract will not be scored. Please include **one original and 12 copies of the abstract** with the RFP grant application (do not attach the abstract to the application).

PROPOSAL NARRATIVE

Program Name: _____

Program component (Check all that apply.)

- ☐ Supervised visitation and exchange services
 - ☐ Parent education
 - ☐ Group counseling
-

1. Statement of need (30 points)

- (a) What is the need in your geographical service area for (each) proposed program? How did you identify this as a need? (10 points)
- (b) What other programs or services are available in your jurisdiction to address this need? (5 points)
- (c) What would be the effects on the target population if the program were not funded by this grant? (5 points)
- (d) What is your proposed plan for addressing the needs identified? (10 points)

2. Promotion and encouragement of healthy parent and child relationships between noncustodial parents and their children while ensuring the health, safety, and welfare of the children (30 points)

- (a) How will the specific services of the proposed program promote healthy parent and child relationships? (5 points)
- (b) How will the proposed program affect parents' access to services while ensuring the health, safety, and welfare of the children? (10 points)
- (c) What are the short-term and long-range goals for (each) proposed program including your proposed plan for accomplishing them? (10 points)
- (d) How will you assess whether these goals have been met? (5 points)

3. Number of counties or regions participating (15 points)

- (a) How many counties will participate in (each) proposed program? (5 point)
- (b) How will the proposed program collaborate with other counties? If your county is not collaborating with other regions, please explain why not. (10 points)

4. Availability of services to a broad population of parties (30 points)

- (a) Describe the client population to be served. Include demographic, income, age, ethnicity, language, marital status, and social and economic data. (10 points)
- (b) How will the population be served by each proposed program component? (5 points)
- (c) How are parents informed about and referred to (each) proposed program? (5 points)
- (d) How will the proposed program ensure accessibility for the targeted client population? (5 points)
- (e) What methods will be used to assess whether the program recipients match the identified target population? (5 points)

5. Other program information (10 points)

- (a) How is the proposed program distinct from other services that are currently available to the target population? (5 points)
- (b) What are the barriers or obstacles to delivering the program services, and how will such obstacles be addressed? (3 points)
- (c) What innovative educational or informational products will be developed under the proposed program? (2 points)

6. Coordination with other community services (20 points)

Please complete the collaborative partner form, and attach the letters of commitment.

- (a) How will (each) proposed program coordinate with existing court-based programs and services? What is your program's relationship with the court? (7 points)
- (b) What is your collaborative relationship with the community? Specify coordination of resources with public and private agencies and advocate groups. (5 points)
- (c) How does the community support your proposed program; and are there any anticipated local opposition to or concerns about the program and what will be done to address those concerns? (5 points)
- (d) Has the program or services received any awards or community to indicate achieving the program objectives? Attach three letters of support (3 points)

7. Hours of service delivery (20 points)

Please complete the chart pertaining to hours of service delivery that will be offered.

- (a) What are the direct-service hours and days and the families served for the proposed program? (10 points)
- (b) How will the proposed hours of service delivery meet the level of service needed by the target population? (10 points)

Example:

| ACTIVITY | Days and Times Services Offered | Number of Proposed Direct Service Hours | Time Devoted to Each Session | Number of Families Anticipated to be Served |
|------------------------|---|---|------------------------------|---|
| One-on-one supervision | Monday 12-8 p.m. Tuesday 8-6 p.m. Saturday 9-5 p.m. | 1200 | 2 hours | 120 |
| Parent education | Wednesday 6 -7:30 p.m. | 10 weeks - 150 hrs | 1.5 hour | 35 |

| ACTIVITY | Days and Times Services Offered | Number of Proposed Direct Service Hours | Time Devoted to Each Session | Number of Families Anticipated to be Served |
|-----------------------------------|---------------------------------|---|------------------------------|---|
| One-on-one supervision | | | | |
| Therapeutic supervision | | | | |
| Multiple family group supervision | | | | |
| Exchange services | | | | |
| Parent education | | | | |
| Group counseling | | | | |

8. Program evaluation (15 points)

The program goals and results are described in several parts of this application (for example, the program abstract, needs statement, and cost-effectiveness).

- (a) What detail steps have been taken and/or will be taken in the funding period to evaluate program performance? Be specific about the nature and scope of the methods that will be used (for example, public testimonials, letters of support, citizen observation, questionnaires, interviews, focus groups, document analysis, activity forms, expert or peer review, concept mapping). Describe only do not include documentation in the application. (10 points)
- (b) What detail steps have been or will be used to get client feedback about each proposed program? (5 points)

9. Ability to expand existing services (15 points)

- (a) What are the current funding sources for the proposed program? (2 point)
- (b) What is the program's funding development plan for fiscal year 2001–2002, including strategies to supplement federal funding with funds from other sources. (5 points)
- (c) What are the results of any previous efforts to supplement federal funding with other sources? (5 point)
- (d) What is the feasibility of expanding the program and the impact of expansion on the needs for service? (3 points)

10 Cost-effectiveness (15 points)

The Judicial Council Executive and Planning Committee and the SRC will evaluate the overall cost of the program and analyze the grant budget and budget narrative for cost-effectiveness. Please complete the chart below.

- (a) What are the overall costs for delivering (each) program service? (5 points)
- (b) What are some ways that your program will operate cost-effectively? (5 points)
- (c) What are the sliding scale fees for each proposed program and how were the fees determined? Attach your court approved sliding scale fees. (5 points).

| ACTIVITY | Sliding Scale Fee(s) for Clients | *Estimated Costs for Program Services |
|-----------------------------------|---|--|
| One-on-one supervision | | |
| Therapeutic supervision | | |
| Multiple family group supervision | | |
| Exchange Services | | |
| Parent Education | | |
| Group counseling | | |

**These costs are for overall program operations. For example, staff time, administrative overhead, intake, client interviews, orientation, etc.*

APPENDIX B

Compliance Statement:

Uniform Standards of Practice for Providers of Supervised Visitation

Applicant Court: _____

Supervised Visitation Provider: _____

| | Yes | No | N/A |
|---|-----|----|-----|
| A. Does the professional provider for supervised visitation have qualifications stated in the Uniform Standards of Practice for Providers of Supervised Visitation? Please attach the job description. | Y | Y | Y |
| B. Does the therapeutic provider meet the qualification stated in the standards of practice, and is he or she a licensed mental health professional? Please attach resumé or job description. | Y | Y | Y |
| C. Are clients provided with materials on the role of the provider, the terms and conditions of supervised visitation, and the legal responsibilities and obligations of a provider? Please attach materials. | Y | Y | Y |
| D. Are professional and therapeutic providers given regular trainings? Attach training curricula. | Y | Y | Y |
| <i>Safety and Security Procedures</i> | | | |
| E. Does the supervised visitation center have a protocol written with the assistance of the local law enforcement agency that describes what emergency assistance and response can be expected from the local police or sheriff's department? Attach the written protocol. | Y | Y | Y |
| F. Do the professional and therapeutic providers inform the clients with a written protocol of security procedures prior to the commencement of supervised visitation? Attach written security protocol. | Y | Y | Y |
| G. Does the supervised visitation center conduct a comprehensive intake and screening to assess the nature and degree of risk for each case, including the following? Please attach intake forms. | Y | Y | Y |
| ▪ Conduct separate interviews with the parties before the first visit. | Y | Y | Y |
| ▪ During the interview, obtain identifying information and explain the reasons for temporary suspension or termination of a visit. | Y | Y | Y |
| ▪ Include the child in the intake or orientation process if he or she is of sufficient age and capacity. Is the discussion with the child appropriate to the child's developmental stage? | Y | Y | Y |
| H. Does the provider obtain the following during the intake process? | Y | Y | Y |

| | | | |
|--|---|---|---|
| <ul style="list-style-type: none"> ▪ Copies of any protective order, current court order, or Judicial Council form relating to a supervised visitation order; ▪ A report of any written records of allegations of domestic violence or abuse; and ▪ Information about the child's chronic health condition or health needs. | Y | Y | Y |
| | Y | Y | Y |
| | Y | Y | Y |
| | | | |
| I. Does the provider have an established written procedure to follow in the event a child is abducted during supervised visitation? Please attach the written procedure. | Y | Y | Y |
| J. Does the provider keep a record of each case, including the following? Please attach visitation form or report. | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ A written record of each contact and visit, including date, time, and duration of the contact or visit; | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ Who attended the visit; | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ A summary of activities during the visit; | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ Actions taken by the provider—any interruptions, termination of visits, and reasons for these actions; | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ An account of critical incidents, including physical or verbal altercations and threats; | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ Violations of protective or court visitation orders; | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ Any failure to comply with terms and conditions of the visitation; and | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ Any incidence of abuse. | | | |
| K. Are all contacts by the provider (in person, in writing, or by telephone) with either party, the children, the court, attorneys, mental health professionals, and referring agencies documented, dated, and signed by the person recording the entry in the case file? | Y | Y | Y |
| | Y | Y | Y |
| L. When a report is produced, does the provider send a copy to all parties, their attorneys, and the attorney for the child? Please explain process or procedures. | | | |
| M. Does the provider have a special procedure for sexual abuse cases, including the following? Attach procedures. | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ No exchanges of gifts, money, or cards, and no photographing, audiotaping, or videotaping of the child; | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ No physical contact, whispering, passing notes, hand signals, or body signals with the child; and | Y | Y | Y |
| <ul style="list-style-type: none"> ▪ No supervised visitation in the location where the alleged sexual abuse occurred. | Y | Y | Y |
| N. Do you ensure that your program is culturally and linguistically sensitive to the clients you serve? | Y | Y | Y |
| O. Does the provider have written contracts, informing each party of the terms and conditions of supervised visitation, for clients to sign before commencing the supervised visitation? Attach sample agreement. Please redact confidential information. | Y | Y | Y |

APPENDIX C

COLLABORATING PARTNERS FORM

| # | Name and Address of Partner Organization(s) | Contact Person(s) Phone No. and Email Address | Roles and Responsibilities |
|----|---|---|----------------------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |

APPENDIX D

SAMPLE LETTER OF COMMITMENT

(Letter must be on agency letterhead)

June 20, 2001

Shelly Danridge
Access to Visitation Grant Coordinator
Judicial Council
Administrative Office of the Courts
Center for Families, Children & the Courts
455 Golden Gate Avenue, Sixth Floor
San Francisco, California 94102-3660

Dear Ms. Danridge:

The National Council welcomes the opportunity to partner with the Los Angeles Superior Court in applying for the Access to Visitation (RFP CFCC: FY 2001-2002) grant. This Letter of Commitment from the National Council states our intention to collaborate with the Superior Court of Los Angeles to provide supervised visitation and parent education services for the grant program.

The National Council commits to (**insert details pertaining to roles and responsibilities of subcontracting partner). We are dedicated to increasing support and facilitation of non-custodial parents' access to and visitation of their children.

We thank you for the opportunity to participate in this important grant program. We will make every effort to ensure the program is a success.

Please feel free to contact me directly or Dora Scott, NC Director, if you should have any questions or need additional information at 415-865-8655.

Sincerely,

Debra McGriffin
Executive Director

APPENDIX E

Budget Narrative Instructions

A Budget form and brief budget description must accompany each application (see “Budget Forms”). The budget should be sufficient to perform the tasks described in the proposal narrative. The budget should not contain unexplained amounts for miscellaneous or contingency costs or unallowable line items such as entertainment costs.

The following guidelines are for preparing the budget and budget narrative. Both federal and nonfederal match requirement should be detailed and justified in the budget and budget narrative. For purposes of preparing the program narrative, “federal resources” refers only to the grant for which you are applying. “Nonfederal match ” are all other federal and nonfederal resources.

Please provide one Budget Form for the entire program and one Budget Form for each subcontractor.

Salaries

The cost of employees’ salaries and wages associated with the administration of this proposed grant can be charged to the grant. List each staff member’s name, title, time commitment to the project (as a percentage or full-time equivalent), annual salary, wage rates, etc. Do not include the cost of consultants or personnel costs of delegated agencies or of specific project(s) or business to be financed by the applicant.

Benefits

Include the cost of employer paid fringe benefits unless treated as part of an approved indirect cost rate. Provide a percentage that comprises fringe benefits, such as health insurance, FICA, retirement insurance, taxes, etc., not to exceed 26 percent of salary.

Travel Expenses

Include the costs of project-related travel by employees of the applicant organization and consultants. For each trip, show the total number of traveler(s), destination(s), duration of trip, per diem, mileage allowances (if privately owned vehicles will be used), and any other transportation costs and/or subsistence allowances to be included.

Equipment:

Include the cost of all nonexpendable, tangible personal property to be acquired by the project, where each article has a useful life of more than one year and an acquisition cost that equals the lesser of (a) the capitalization level established by the applicant organization for financial statement purposes; or (b) \$5,000. For each type of equipment requested, provide a description of the equipment, the cost per unit, the number of units, the total cost, and a plan for use in the project, as well as use or disposal of the equipment after the project ends.

Operating Expenses

Include the cost of all tangible personal property (supplies) other than that included in the equipment category. Specify general categories of supplies and their costs. Show computations and provide other information that supports the amount requested.

Consultants/Contract Personnel

The cost of consultant fees associated with the administration of this proposed grant can be charged to the grant. List each consultant's name, function, time commitment to the project, and daily rate.

Contractual/Consultants

Include all costs of contracts for services and goods. Third-party evaluation contracts (if applicable) and contracts with secondary recipient organizations, including delegate agencies and specific project(s) or business to be financed by the applicant, should be included in this section. All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. If procurement competitions were held or if sole-source procurement is being proposed, attach a list of proposed contractors, the estimated dollar amounts, and the award selection process. Also, provide backup documentation where necessary to support the selection process.

The cost of consultant fees associated with the administration of this proposed grant can be charged to the grant. List each consultant's name, function, time commitment to the project, and daily rate.

Note: Whenever the applicant/grantee intends to delegate part of the program to another agency, the applicant/grantee must provide a detailed budget and budget narrative for each delegate agency by agency title, along with the required supporting information referenced in these instructions.

Applicants must identify and justify any anticipated procurement that is expected to exceed the simplified purchase threshold (currently set at \$100,000) and to be awarded without competition. Recipients are required to make available pre-award review and procurement documents, such as requests for proposals or invitations for bids, and independent cost estimates under the conditions identified in 45 Code of Federal Regulations, section 74.44(e).

Other Expenses

Specify the total of all other costs. Such costs, where applicable and appropriate, may include but are not limited to insurance; food; medical and dental costs; noncontractual fees; space and equipment rentals; printing and publication; computer use; training cost, including tuition and stipends; training service costs, including wage payments to individuals and supportive service payments; and staff development costs.

Indirect Administrative Cost

Provide the methodology for indirect costs which is capped at 10 percent.

Match Requirement

There is a 15 percent matching funds requirement for the grant. Specify the line item amount of nonfederal resources that will be used to support the project. These funds should be captured in the appropriate budget line item on the budget forms. If more than one entity is funding this program, the total amount of all sources should be combined in the appropriate budget line item(s).

Total Budget

Provide a tally of the total program budget.

Program Income Projected

Specify the estimated amount of income (if any) expected to be generated from this project, but do not add or subtract this amount from the budget total. Show the nature and source of income in the program narrative statement. Describe the nature, source, and anticipated use of program income in the budget, or reference these in the program narrative statement, which contains this information (see Budget Narrative - Program Income Projected). Program income may be used as match, but must be documented.

Certification and Assurance Form

Complete the Certifications and Assurances form after reading the information below. By signing the Certifications and Assurances form, the applicant certifies that it will agree to perform all actions and support all intentions stated in the certifications and assurances.

1. Inability to Certify

The inability of a person to provide the following required certification will not necessarily result in denial of a grant. The applicant must submit an explanation of why it cannot provide the following certification. The certification or explanation will be considered in connection with the funder's determination whether to enter into this transaction. However, failure of the applicant to furnish a certification or explanation shall disqualify such applicant for a grant.

2. Erroneous Certification

The certification in this clause is a material representation of fact upon which reliance is placed when the funder determines to enter into this transaction. If it is later determined that the applicant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the funder may terminate this transaction for cause or default.

3. Notice of Error in Certification

The applicant shall provide immediate written notice to the funder to whom this proposal is submitted if at any time the applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. Definitions

The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded* as used in this clause have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. An applicant shall be considered a "prospective primary participant in a covered transaction" as defined in the rules implementing Executive Order 12549. You may contact the funder for assistance in obtaining a copy of those regulations.

5. Certification Requirement for Subgrant Agreements

The applicant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the funder.

6. Certification of Inclusion in Subgrant Agreements

The applicant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the funder, without

modification, in all lower-tier covered transactions and in all solicitations for lower-tier covered transactions.

7. Certification of Subgrant Principals

A grantee may rely upon a certification of a prospective participant in a lower-tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A grantee may decide the method and frequency by which it determines the eligibility of its principals. Each grantee may, but is not required to, check the nonprocurement list.

8. Prudent Person Standard

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a grantee is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Noncertification in Subgrant Agreements

Except for transactions authorized under paragraph 6 of these instructions, if a grantee knowingly enters into a lower-tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency may terminate this transaction for cause or default.

APPENDIX F

Budget Forms

Budget Form

Applicant Court: _____

Fiscal Officer: _____

Name

Phone

Email

(Please note that there is a 15 percent matching funds requirement.)

Please complete this form and attach a brief description of each budgeted item.

| Budget Items | Budget Requested (Federal Amount) | 15 % Match requirement (Cash or In-kind) |
|--|--------------------------------------|---|
| Salaries (Includes direct wages paid) | | |
| Benefits (Includes taxes and benefits paid) | | |
| Travel Expenses (Includes all cost related to travel) | | |
| Equipment (Includes costs related to the proposed program) | | |
| Operating Expenses (Includes supplies, telephone, postage, printing and photocopying, and other program operating expenses) | | |
| Contractual/Consultants (Includes all costs of contracts that are third-party or secondary contracts providing services under this contract. Also include a separate budget form for each subcontract, etc.) | | |
| Other Expenses | | |
| Indirect <i>No more than 10 percent of direct salaries</i> | | |
| Total Expense | | |
| Project Income | | |

APPENDIX F (page 2)

Budget Form

Applicant Court: _____

Subcontract Project Budget: _____

Organization Name

(Please note that there is a 15 percent matching funds requirement.)
Please complete this form and attach a brief description of each budget item.

Expenses

| Budget Items | Organizational Budget | Project Budget |
|--|-----------------------|----------------|
| Salaries (Includes direct wages paid) | | |
| Benefits (Includes taxes and benefits paid) | | |
| Travel Expenses (Includes all cost related to travel) | | |
| Equipment (Includes costs related to the proposed program) | | |
| Operating Expenses (Includes supplies, telephone, postage, printing and photocopying, and other program operating expenses) | | |
| Other Expenses | | |
| Indirect <i>No more than 10 percent of direct salaries</i> | | |
| Total Expenses | | |

APPENDIX F (page 3)

Budget Form

Applicant Court: _____

Subcontract Project Budget: _____

Organization Name

Project Revenue Income List

| | |
|--------------------------|----|
| Government | \$ |
| | \$ |
| Foundation (itemized) | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| Corporations (itemized) | \$ |
| | \$ |
| Individual contributions | \$ |
| Earned income | \$ |
| In-kind support | \$ |
| Other | |
| Total Revenue | |

Organization Revenue Income List

| | |
|--------------------------|----|
| Government | \$ |
| Foundation (total) | \$ |
| Corporations (total) | \$ |
| Individual contributions | \$ |
| Earned income | \$ |
| In-kind support | \$ |
| Other | \$ |
| Total Revenue | \$ |

APPENDIX G

CERTIFICATION AND ASSURANCE FORMS

Certification page 1

Certification page 2

Assurance form 1

Assurance form 2

APPENDIX H

NONPROFIT SUBCONTRACTING LIST

For private nonprofit subcontracting agencies, please submit the following:

- ◆ Federal employer identification numbers (FEINs);
- ◆ Contact person(s) and telephone number(s); e-mail
- ◆ Proof of nonprofit status

Please retain the following for your records:

- ◆ Financial statements;
- ◆ Annual audit reports;
- ◆ Names of bond carriers;
- ◆ Contact person(s) and telephone number(s);
- ◆ Documentation of professional licenses or accreditation (if needed);
- ◆ Information on compliance with federal/state/local government standards, including Appendix to the California Standards of Judicial Administration, section 26.2 [Uniform Standards of Practice for Providers of Supervised Visitation]; and
- ◆ Documentation of experience in pertinent area.

APPENDIX I

END OF THE YEAR AND QUARTERLY REPORT FORMS

End of the Year Report Form

To Be Completed by Each Local Project Director

PROJECT DESCRIPTION

I. What is the name of the project?

Location: _____

Name of Project Director: _____

Telephone No.: _____

II. Project Goals

A. Which of the following describe your project's goals? Check as many as apply.

- | | |
|--|--------------------------|
| 1. To improve child well-being | <input type="checkbox"/> |
| 2. To improve compliance with child support orders | <input type="checkbox"/> |
| 3. To increase visitation between non-custodial parents and their children | <input type="checkbox"/> |
| 4. To improve the relationship between non-custodial and custodial parents | <input type="checkbox"/> |
| 5. To strengthen non-custodial parents as nurturers | <input type="checkbox"/> |
| 6. To promote public awareness about responsible parenthood | <input type="checkbox"/> |
| 7. To broaden custody options for parents | <input type="checkbox"/> |
| 8. Other (describe below) | <input type="checkbox"/> |
-
-

III. Funding Sources

A. Are your state child access and visitation activities funded only with OCSE grant funds, or combined with funds from other sources?

OCSE funds only ☐ [Skip to Question III]

Multiple sources ☐ [Go to Question II-B]

B. Approximately, what proportion of your child access and visitation funds are funded by OCSE grant funds?

_____ %

IV. Project Activities

A. What type of activities does the project provide? Please check all that apply.

| | | |
|---|---|--------------------------|
| | Mediation | <input type="checkbox"/> |
| | Counseling | <input type="checkbox"/> |
| | Education | <input type="checkbox"/> |
| | Development of Parenting Plans | <input type="checkbox"/> |
| | Development of Guidelines for Visitation and Custody Arrangements | <input type="checkbox"/> |
| | Visitation Enforcement | <input type="checkbox"/> |
| — | monitored visitation ⁵ | <input type="checkbox"/> |
| — | supervised visitation ⁶ | <input type="checkbox"/> |
| — | therapeutic visitation ⁷ | <input type="checkbox"/> |
| — | neutral drop-off and pickup | <input type="checkbox"/> |
| — | other visitation enforcement activities _____ | |
| | Other (1) _____ | |
| | Other (2) _____ | |
| | Other (3) _____ | |

B. Did the project directly serve any individuals in the last twelve months?

☐ Yes ☐ No

If no, please describe what activities you have undertaken with your Federal Child Access and Visitation Grant Funds. Attach any additional information.

***The remainder of the survey applies only to projects
providing services to individuals.***

⁵ Monitored visitation involves an outside individual recording whether or not visitation has occurred.

⁶ Supervised visitation is court-ordered visitation after allegation of abuse or other situations involving acrimony in which an outside individual is present during the visitation session, watching participants.

⁷ Therapeutic visitation involves a “counselor” facilitating interactions between the non-custodial parent and the child.

C. Of the activities that you conduct, which of the following are mandatory versus voluntary?

| ACTIVITY | PARTICIPATION BASIS | | |
|-----------------------------------|--------------------------|--------------------------|--------------------------|
| | Mandatory | Voluntary | Both |
| 1. Mediation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Counseling | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Education | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Visitation Enforcement | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4a. Monitored Visitation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4b. Supervised Visitation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4c. Therapeutic Visitation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4d. Neutral drop-off/pickup | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Development of Parenting Plans | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (1)_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (2)_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (3)_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

D. Thinking of all the activities you conduct and the participants in them, what is the approximate racial breakdown of the participants?

White (non-Hispanic) _____% Don't Know _____ African American _____% Don't Know _____
 Hispanic _____% Don't Know _____ Asian _____% Don't Know _____
 Native American _____% Don't Know _____ Other _____% Don't Know _____

10

E. Again, thinking of all the activities you conduct and the participants in them, what is the approximate marital breakdown of the participants?

Divorced _____% Separated _____% Never Married _____%

F. What are the approximate ranges of annual income of participants?

Less than \$10,000 _____% \$30,000 – \$39,999 _____%
 \$10,000 – \$19,999 _____% \$40,000 and above _____%
 \$20,000 – \$29,999 _____%

IV. Application and/or Referral Process

A. What are the common sources of application or referral and indicate if voluntary, mandatory, or both? Please check all that apply.

| | Mandatory | Voluntary | Both |
|---|--------------------------|--------------------------|--------------------------|
| 1. Self-referral/individual initiative_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Welfare Agency (TANF Agency)_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Child Welfare Agency_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Child Support Agency_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other Public Social Service Agency | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Court _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Names of Courts:_____

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 7. Administrative Office of the Court_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Private Social Service Organization_____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Other (please specify below): | | | |

B. What intake procedures does your project use? Check all that apply.

- | | |
|------------------------------|--------------------------|
| 1. Interview with applicant | <input type="checkbox"/> |
| 2. Written application from: | |
| a. Custodial parent | <input type="checkbox"/> |
| b. Non-custodial parent | <input type="checkbox"/> |
| 3. Interviews with: | |
| a. Custodial parent | <input type="checkbox"/> |
| b. Non-custodial parent | <input type="checkbox"/> |
| c. Judge | <input type="checkbox"/> |
| d. Court officer | <input type="checkbox"/> |
| e. Mediator | <input type="checkbox"/> |
| f. Children | <input type="checkbox"/> |
| g. Another individual_____ | |

4. Other (please describe below):

V. Length and Features of a Complete Project

A. Does the project have a typical sequence or cycle of services offered to participants? *(We are interested in whether there are a set number of days, weeks, or months that participants are supposed to continue participating in the services.)*

| ACTIVITY | No | Yes | If yes, how long? |
|-----------------------------------|--------------------------|--------------------------|-------------------|
| 1. Mediation | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Counseling | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. Education | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4. Visitation Enforcement | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4a. Monitored Visitation | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4b. Supervised Visitation | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4c. Therapeutic Visitation | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4d. Neutral drop-off/pickup | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 5. Development of Parenting Plans | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Other (1) _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Other (2) _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Other (3) _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

B. On average, how long do participants actually receive project services? *(Again, we are interested in the number of days, weeks, or months that participants actually continue participating in the services.)*

| ACTIVITY | PARTICIPATION BASIS | |
|-----------------------------------|---------------------|---------|
| | Mothers | Fathers |
| 1. Mediation | | |
| 2. Counseling | | |
| 3. Education | | |
| 4. Visitation Enforcement | | |
| 4a. Monitored Visitation | | |
| 4b. Supervised Visitation | | |
| 4c. Therapeutic Visitation | | |
| 4d. Neutral drop-off/pickup | | |
| 5. Development of Parenting Plans | | |
| Other (1): | | |
| Other (2): | | |
| Other (3): | | |

C. What constitutes completion of the program services?

| ACTIVITY |
|------------------------------|
| 1. Mediation: |
| 2. Counseling: |
| 3. Education: |
| 4. Visitation Enforcement: |
| 4a. Monitored Visitation: |
| 4b. Supervised Visitation: |
| 4c. Therapeutic Visitation: |
| 4c. Neutral drop-off/pickup: |
| Other (1) _____ |
| Other (2) _____ |
| Other (3) _____ |

D. Does the project conduct follow-up activities with participants who have left the project?

1. Yes

☐

If yes, describe below:

2. No

☐

D. What sanctions are there, if any, for mandatory participants who fail to comply/complete the project?

PROJECT DATA

VI. Participant Data

- A. How many individuals applied, participated, and completed the project? Please indicate the total as well as numbers for each activity. States that have only conducted planning and not service activities for individuals should indicate this with a footnote.

| ACTIVITY | APPLI- CANTS OR REFER- RALS | PARTICIPANTS | | | | THOSE COMPLETING PROGRAM ACTIVITIES IN THE PAST PROGRAM YEAR | | | |
|-----------------------------------|---|--------------|---------|---------|------------|--|---------|---------|------------|
| | Total | Total | Fathers | Mothers | Child(ren) | Total | Fathers | Mothers | Child(ren) |
| TOTAL IN PROJECT | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| | | | | | | | | | |
| | Total | Total | Fathers | Mothers | Child(ren) | Total | Fathers | Mothers | Child(ren) |
| 1. Mediation | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| 2. Counseling | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| 3. Education | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| 4. Visitation Enforcement | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| 4a. Monitored Visitation | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| 4b. Supervised Visitation | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| 4c. Therapeutic Visitation | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| 4d. Neutral drop-off/pickup | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| 5. Development of Parenting Plans | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| Other_____ | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| Other_____ | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| Other_____ | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |
| Other_____ | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# | ____# |

Thank you for your prompt completion.

ACCESS TO VISITATION GRANT PROGRAM QUARTERLY REPORTING FORM

| Quarter Reports | Report Period | Due Dates |
|-----------------|-------------------------|-------------------|
| Quarter 1 | October 1 – December 31 | January 15 |
| Quarter 2 | January 1 – March 31 | April 15 |
| Quarter 3 | April 1 – June 30 | July 15 |
| Quarter 4 | July 1 – September 30 | October 15 |

Quarter Period Reporting: from: _____ to _____

Administrative Court: _____

Program Title: _____

Submitted by: _____

Date Submitted: _____

What is the racial composition of the participants (including children)?

| | | | |
|----------------------|---------|------------------|---------|
| White (non-Hispanic) | _____ % | African American | _____ % |
| Hispanic | _____ % | Asian | _____ % |
| Native American | _____ % | Other | _____ % |
| Unknown | _____ % | | |

What is the marital breakdown of the participants (Do NOT include children)?

Divorced _____ % Separated _____ % Never Married _____ %

Unknown _____ %

What are the approximate ranges of annual income of participants?

| | | | |
|---------------------|---------|---------------------|---------|
| Less than \$10,000 | _____ % | \$30,000 – \$39,999 | _____ % |
| \$10,000 – \$19,999 | _____ % | \$40,000 and above | _____ % |
| \$20,000 – \$29,999 | _____ % | unknown | _____ % |

What are the different degrees of supervised visitation your agency provide? Please check all that apply.

One-on-one supervision _____ Multiple family group supervision _____

Off-site supervision _____ Exchange supervision _____

PARTICIPANT DATA

How many individuals applied, participated, and completed the project? Please indicate the total as well as numbers for each activity

| ACTIVITY | HOURS | PARTICIPANTS ENROLLED | | | | THOSE COMPLETING PROGRAM REQUIREMENTS (EXITED) | | | |
|---------------------------------|-----------------------|--------------------------|------------------|------------------|----------------------|--|------------------|------------------|----------------------|
| TOTAL IN PROJECT | Total Hours _____# | Total _____# | Father _____# | Mother _____# | Child(ren) _____# | Total _____# | Father _____# | Mother _____# | Child(ren) _____# |
| | | | | | | | | | |
| | Total Hours | Total | Custodial | Non-custodial | Child(ren) | Total | Custodial | Non-custodial | Child(ren) |
| 1. Counseling | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# |
| 2. Education | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# |
| 3. Visitation Enforcement | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# |
| 3a. Monitored Visitation | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# |
| 3b. Supervised Visitation | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# |
| 3c. Therapeutic Visitation | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# |
| 3d. Neutral drop- off/pickup | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# | _____# |

APPENDIX J

PUBLIC LAW 104–193

PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT

TITLE III, SUBTITLE I, SECTION 469B OF THE SOCIAL SECURITY ACT

Pub. Law 104-193

APPENDIX K

ASSEMBLY BILL 673

Assembly Bill 673

CHAPTERED

CHAPTER 1004

FILED WITH SECRETARY OF STATE OCTOBER 10, 1999

APPROVED BY GOVERNOR OCTOBER 10, 1999

PASSED THE ASSEMBLY SEPTEMBER 9, 1999

PASSED THE SENATE SEPTEMBER 7, 1999

AMENDED IN SENATE SEPTEMBER 3, 1999

AMENDED IN SENATE AUGUST 16, 1999

AMENDED IN SENATE JULY 15, 1999

AMENDED IN ASSEMBLY MAY 28, 1999

AMENDED IN ASSEMBLY APRIL 5, 1999

INTRODUCED BY Assembly Member Honda

**(Coauthors: Assembly Members Alquist, Aroner, Ducheny, Keeley,
Kuehl, Lempert, Mazzoni, Romero, and Washington)**

(Coauthors: Senators Ortiz, Perata, and Solis)

FEBRUARY 23, 1999

An act to amend the heading of Chapter 13 (commencing with Section 3200) of Part 2 of Division 8 of, to add Sections 3201, 3202, 3203, and 3204 to, and to repeal Division 15 (commencing with Section 10100) of, the Family Code, relating to family law.

LEGISLATIVE COUNSEL'S DIGEST

AB 673, Honda. Child visitation and exchange program.

Existing law requires a court making a custody order to grant reasonable visitation rights to a parent unless it would be detrimental to the best interest of the child and authorizes the granting of reasonable visitation rights to other specified persons.

This bill would authorize the family law division of a superior court, subject to the availability of federal funding, to establish programs for supervised visitation and exchange services, specified education programs, and group counseling for parents and children. The bill would authorize the court to contract with eligible supervised visitation and exchange, education, and group counseling providers, as defined, to provide supervised visitation and exchange program services subject to specified standards of practice, education, and group counseling. The bill would require the court to approve sliding scale fees so that families would pay for the services based on their ability to pay.

The bill would also require the Judicial Council to apply for federal grants, as specified, to fund child custody and visitation programs; charge the Judicial Council with the administration of the grant funds; specify criteria for awarding of grant funds; state the intent of the Legislature that, effective October 1, 2000, grant funds shall be used for supervised visitation and exchange services, specified education, and group counseling for parents and children; and require the Judicial Council to report to the Legislature regarding the programs, as specified.

Existing law, known as the Friend of the Court Act, expresses legislative intent to create in each superior court, an office of the friend of the court, contingent upon federal funding therefor.

This bill would repeal that act.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The heading of Chapter 13 (commencing with Section 3200) of Part 2 of Division 8 of the Family Code is amended to read:

CHAPTER 13. SUPERVISED VISITATION AND EXCHANGE SERVICES,
EDUCATION, AND COUNSELING

SEC. 2. Section 3201 is added to the Family Code, to read:

3201. (a) The programs described in this chapter shall be administered by the family law division of the superior court in the county.

(b) For purposes of this chapter, "education about protecting children during family disruption" includes education on parenting skills and the impact of parental conflict on children, how to put a parenting agreement into effect, and the responsibility of both parents to comply with custody and visitation orders.

SEC. 3. Section 3202 is added to the Family Code, to read:

3202. (a) All supervised visitation and exchange programs funded pursuant to this chapter shall comply with all requirements of the Uniform Standards of Practice for Providers of Supervised Visitation set forth in Section 26.2 of the Standards of Judicial Administration as amended. The family law division of the superior court may contract with eligible providers of supervised visitation and exchange services, education, and group counseling to provide services under this chapter.

(b) As used in this section, "eligible provider" means:

(1) For providers of supervised visitation and exchange services, a local public agency or nonprofit entity that satisfies the Uniform Standards of Practice for Providers of Supervised Visitation.

(2) For providers of group counseling, a professional licensed to practice psychotherapy in this state, including, but not limited to, a licensed psychiatrist, licensed psychologist, licensed clinical social worker, or licensed marriage and family therapist; or a mental health intern working under the direct supervision of a professional licensed to practice psychotherapy.

(3) For providers of education, a professional with a bachelor's or master's degree in human behavior, child development, psychology, counseling, family-life education, or a related field, having specific training in issues relating to child and family development, substance abuse, child abuse, domestic violence, effective parenting, and the impact of divorce and interparental conflict on children; or an intern working under the supervision of that professional.

SEC. 4. Section 3203 is added to the Family Code, to read:

3203. Subject to the availability of federal funding for the purposes of this chapter, the family law division of the superior court in each county may establish and administer a supervised visitation and exchange program, programs for education about protecting children during family disruption, and group counseling programs for parents and children under this chapter. The programs shall allow parties and children to participate in supervised visitation between a custodial party and a noncustodial party or joint custodians, and to participate in the education and group counseling programs, irrespective of whether the parties are or are not married to each other or are currently living separately and apart on a permanent or temporary basis.

SEC. 5. Section 3204 is added to the Family Code, to read:

3204. (a) The Judicial Council shall annually submit an application to the federal Administration for Children and Families, pursuant to Section 669B of the "1996 Federal Personal Responsibility and Work Opportunity Recovery Act" (PRWORA), for a grant to fund child custody and visitation programs pursuant to this chapter.

The Judicial Council shall be charged with the administration of the grant funds.

(b) (1) It is the intention of the Legislature that, effective October 1, 2000, the grant funds described in subdivision (a) shall be used to fund the following three types of programs: supervised visitation and exchange services, education about protecting children during family disruption, and group counseling for parents and children, as set forth in this chapter. Contracts shall follow a standard request for proposal procedure, that may include multiple year funding. Requests for proposals shall meet all state and federal requirements for receiving access and visitation grant funds.

(2) The grant funds shall be awarded with the intent of approving as many requests for proposals as possible while assuring that each approved proposal would provide beneficial services and satisfy the overall goals of the program under this chapter. The Judicial Council shall determine the final number and amount of grants. Requests for proposals shall be evaluated based on the following criteria:

- (A) Availability of services to a broad population of parties.
- (B) The ability to expand existing services.
- (C) Coordination with other community services.
- (D) The hours of service delivery.
- (E) The number of counties or regions participating.
- (F) Overall cost effectiveness.

(G) The purpose of the program to promote and encourage healthy parent and child relationships between noncustodial parents and their children, while ensuring the health, safety, and welfare of the children.

(3) Special consideration for grant funds shall be given to proposals that coordinate supervised visitation and exchange services, education, and group counseling with existing court-based programs and services.

(c) The family law division of the superior court in each county shall approve sliding scale fees that are based on the ability to pay for all parties, including low-income families, participating in a supervised visitation and exchange, education, and group counseling programs under this chapter.

(d) The Judicial Council shall, on March 1, 2002, and on the first day of March of each subsequent year, report to the Legislature on the programs funded pursuant to this chapter and whether and to what extent those programs are achieving the goal of promoting and encouraging healthy parent and child relationships between noncustodial or joint custodial parents and their children while ensuring the health, safety, and welfare of children, and the other goals described in this chapter.

SEC. 6. Division 15 (commencing with Section 10100) of the Family Code is repealed.

APPENDIX L

FAMILY CODE §§ 3200–3204

Family Code Sections 3200–3204

3200 [Development of Standards for Supervised Visitation] The Judicial Council shall develop standards for supervised visitation providers in accordance with the guidelines set forth in this section. On or before April 1, 1997, the Judicial Council shall report the standards developed and present an implementation plan to the Legislature. For the purposes of the development of these standards, the term "provider" shall include any individual who functions as a visitation monitor, as well as supervised visitation centers. Provisions shall be made within the standards to allow for the diversity of supervised visitation providers.

(a) When developing standards, the Judicial Council shall consider all of the following issues:

- (1) The provider's qualifications, experience, and education.
 - (2) Safety and security procedures, including ratios of children per supervisor.
 - (3) Any conflict of interest.
 - (4) Maintenance and disclosure of records, including confidentiality policies.
 - (5) Procedures for screening, delineation of terms and conditions, and termination of supervised visitation services.
 - (6) Procedures for emergency or extenuating situations.
 - (7) Orientation to and guidelines for cases in which there are allegations of domestic violence, child abuse, substance abuse, or special circumstances.
 - (8) The legal obligations and responsibilities of supervisors.
- (b) The Judicial Council shall consult with visitation centers, mothers' groups, fathers' groups, judges, the State Bar of California, children's advocacy groups, domestic violence prevention groups, Family Court Services, and other groups it regards as necessary in connection with these standards.
- (c) It is the intent of the Legislature that the safety of children, adults, and visitation supervisors be a precondition to providing visitation services. Once safety is assured, the best interest of the child is the paramount consideration at all stages and particularly in deciding the manner in which supervision is provided.

3201 [First Enacted Section] Supervised Visitation Administration. Any supervised visitation maintained or imposed by the court shall be administered in accordance with Section 26.2 of the California Standards of Judicial Administration recommended by the Judicial Council.

3201. [Second Enacted Section] Administration of Programs; Definitions.

- (a) The programs described in this chapter shall be administered by the family law division of the superior court in the county.
- (b) For purposes of this chapter, "education about protecting children during family disruption" includes education on parenting skills and the impact of parental

conflict on children, how to put a parenting agreement into effect, and the responsibility of both parents to comply with custody and visitation orders.

3202 [Compliance with Requirements; Definitions]

(a) All supervised visitation and exchange programs funded pursuant to this chapter shall comply with all requirements of the Uniform Standards of Practice for Providers of Supervised Visitation set forth in Section 26.2 of the Standards of Judicial Administration as amended. The family law division of the superior court may contract with eligible providers of supervised visitation and exchange services, education, and group counseling to provide services under this chapter.

(b) As used in this section, "eligible provider" means:

(1) For providers of supervised visitation and exchange services, a local public agency or nonprofit entity that satisfies the Uniform Standards of Practice for Providers of Supervised Visitation.

(2) For providers of group counseling, a professional licensed to practice psychotherapy in this state, including, but not limited to, a licensed psychiatrist, licensed psychologist, licensed clinical social worker, or licensed marriage and family therapist; or a mental health intern working under the direct supervision of a professional licensed to practice psychotherapy.

(3) For providers of education, a professional with a bachelor's or master's degree in human behavior, child development, psychology, counseling, family-life education, or a related field, having specific training in issues relating to child and family development, substance abuse, child abuse, domestic violence, effective parenting, and the impact of divorce and interparental conflict on children; or an intern working under the supervision of that professional.

3203 [Programs and Counseling Administered by the Family Law Division] Subject to the availability of federal funding for the purposes of this chapter, the family law division of the superior court in each county may establish and administer a supervised visitation and exchange program, programs for education about protecting children during family disruption, and group counseling programs for parents and children under this chapter. The programs shall allow parties and children to participate in supervised visitation between a custodial party and a noncustodial party or joint custodians, and to participate in the education and group counseling programs, irrespective of whether the parties are or are not married to each other or are currently living separately and apart on a permanent or temporary basis.

3204 [Administration of Grant Funds]

(a) The Judicial Council shall annually submit an application to the federal Administration for Children and Families, pursuant to Section 669B of the "1996 Federal Personal Responsibility and Work Opportunity Recovery Act" (PRWORA), for a grant to fund child custody and visitation programs pursuant to this chapter.

The Judicial Council shall be charged with the administration of the grant funds.

(b) (1) It is the intention of the Legislature that, effective October 1, 2000, the grant funds described in subdivision (a) shall be used to fund the following three types of programs: supervised visitation and exchange services, education about protecting children during family disruption, and group counseling for parents and children, as set forth in this chapter. Contracts shall follow a standard request for proposal procedure that may include multiple year funding. Requests for proposals shall meet all state and federal requirements for receiving access and visitation grant funds.

(2) The grant funds shall be awarded with the intent of approving as many requests for proposals as possible while assuring that each approved proposal would provide beneficial services and satisfy the overall goals of the program under this chapter. The Judicial Council shall determine the final number and amount of grants. Requests for proposals shall be evaluated based on the following criteria:

(A) Availability of services to a broad population of parties.

(B) The ability to expand existing services.

(C) Coordination with other community services.

(D) The hours of service delivery.

(E) The number of counties or regions participating.

(F) Overall cost effectiveness.

(G) The purpose of the program to promote and encourage healthy parent and child relationships between noncustodial parents and their children, while ensuring the health, safety, and welfare of the children.

(3) Special consideration for grant funds shall be given to proposals that coordinate supervised visitation and exchange services, education, and group counseling with existing court-based programs and services.

(c) The family law division of the superior court in each county shall approve sliding scale fees that are based on the ability to pay for all parties, including low-income families, participating in a supervised visitation and exchange, education, and group counseling programs under this chapter.

(d) The Judicial Council shall, on March 1, 2002, and on the first day of March of each subsequent year, report to the Legislature on the programs funded pursuant to this chapter and whether and to what extent those programs are achieving the goal of promoting and encouraging healthy parent and child relationships between noncustodial or joint custodial parents and their children while ensuring the health, safety, and welfare of children, and the other goals described in this chapter.

Assembly Bill (Honda) 673 (Stats 1999, ch. 1004) repealed Family Code sections 10100–10102 and added sections 3201–3204.

APPENDIX M

UNIFORM STANDARDS OF PRACTICE FOR PROVIDERS OF SUPERVISED VISITATION

(Cal. Standards Jud. Admin., § 26.2.)

Uniform Standards of Practice for Providers of Supervised Visitation (Cal. Standards Jud. Admin., § 26.2.)

Section 26.2 [Uniform standards of practice for providers of supervised visitation]

(a) [Scope of service] This section defines the duties and obligations for providers of supervised visitation as set forth in Family Code section 3200. Unless specified otherwise, the standards are designed to apply to all providers of supervised visitation, whether the provider is a friend, relative, paid independent contractor, employee, intern, or volunteer operating independently or through a supervised visitation center or agency. The goal of these standards is to assure the safety and welfare of the child, adults, and providers of supervised visitation. Once safety is assured, the best interest of the child is the paramount consideration at all stages and particularly in deciding the manner in which supervision is provided. Each court is encouraged to adopt local court rules necessary to implement these standards.

(b) [Definition] Family Code section 3200 defines a provider as any individual or any supervised visitation center who monitors visitation. Supervised visitation is contact between a noncustodial party and one or more children in the presence of a neutral third person. These standards and this definition are not applicable to supervision of visitation exchanges only, but may be useful in that context.

(c) [Qualifications, experience, and training of the provider] Who provides the supervision and the manner in which supervision is provided depends on different factors including local resources, the financial situation of the parties, and the degree of risk in each case. While the court makes the final decision as to the manner in which supervision is provided and any terms or conditions, the court may consider recommendations by the attorney for the child, the parties and their attorneys, Family Court Services staff, evaluators, therapists, and providers of supervised visitation.

There are three kinds of providers: nonprofessional, professional, and therapeutic.

The minimum qualifications for providers are as follows:

(1) The nonprofessional provider is any person who is not paid for providing supervised visitation services. Unless otherwise ordered by the court or stipulated by the parties, the nonprofessional provider should: (i) be 21 years of age or older; (ii) have no conviction for driving under the influence (DUI) within the last 5 years; (iii) not have been on probation or parole for the last 10 years; (iv) have no record of a conviction for child molestation, child abuse, or other crimes against a person; (v) have proof of automobile insurance if transporting the child; (vi) have no civil, criminal, or juvenile restraining orders within the last 10 years; (vii) have no current or past court order in which the provider is the person being supervised; (viii) not be financially dependent upon the person being supervised; (ix) have no conflict of interest as per subdivision (f) of this section; and (x) agree to adhere to and enforce the court order regarding supervised visitation.

(2) The professional provider is any person paid for providing supervised visitation services, or an independent contractor, employee, intern, or volunteer operating independently or through a supervised visitation center or agency. The professional and therapeutic provider should: (i) be 21 years of age or older; (ii) have no conviction for driving under the influence (DUI) within the last 5 years; (iii) not have been on probation or parole for the last 10 years; (iv) have no record of a conviction for child molestation, child abuse, or other crimes against a person; (v) have proof of automobile insurance if transporting the child; (vi) have no civil, criminal, or juvenile restraining orders within the last 10 years; (vii) have no current or past court order in which the provider is the person being supervised; (viii) be able to speak the language of the party being supervised and of the child, or provide a neutral interpreter over the age of 18; (ix) have no conflict of interest as per subdivision (f) of this section; and (x) agree to adhere to and enforce the court order regarding supervised visitation.

(3) The therapeutic provider is a licensed mental health professional paid for providing supervised visitation services, including but not limited to the following: a psychiatrist, psychologist, clinical social worker, marriage and family counselor, or intern working under direct supervision. A judicial officer may order therapeutic supervision for cases requiring a clinical setting.

(4) Each court is encouraged to make available to all providers informational materials about the role of a provider, the terms and conditions of supervised visitation as per subdivision (i) of this section, and the legal responsibilities and obligations of a provider as per subdivisions (k) and (l) of this section.

In addition, the professional and therapeutic providers of supervised visitation should receive training including but not limited to the following: (i) the role of a professional and therapeutic provider; (ii) child abuse reporting laws; (iii) record-keeping procedures; (iv) screening, monitoring, and termination of visitation; (v) developmental needs of children; (vi) legal responsibilities and obligations of a provider; (vii) cultural sensitivity; (viii) conflicts of interest; (ix) confidentiality; and (x) issues relating to substance abuse, child abuse, sexual abuse, and domestic violence.

(d) [Safety and security procedures] All providers should make every reasonable effort to assure the safety and welfare of the child and adults during the visitation. Supervised visitation centers should establish a written protocol with the assistance of the local law enforcement agency that describes what emergency assistance and responses can be expected from the local police or sheriff's department. In addition, the professional and therapeutic provider should do all the following:

(1) Establish and set forth in writing minimum security procedures and inform the parties of these procedures prior to the commencement of supervised visitation;

(2) Conduct a comprehensive intake and screening to assess the nature and degree of risk for each case. The procedures for intake should include separate interviews with the parties before the first visit. During the interview, the provider should obtain

identifying information and explain the reasons for temporary suspension or termination of a visit as specified in subdivision (m) of this section. If the child is of sufficient age and capacity, the provider should include him or her in part of the intake or orientation process. Any discussion should be presented to the child in a manner appropriate to the child's developmental stage;

(3) Obtain during the intake process, (i) copies of any protective order, (ii) current court orders, (iii) any Judicial Council form relating to supervised visitation orders, (iv) a report of any written records of allegations of domestic violence or abuse, and (v) in the case of a child's chronic health condition, an account of his or her health needs;

(4) Establish written procedures to follow in the event a child is abducted during supervised visitation; and

(5) Suspend or terminate supervised visitation if the provider determines that the risk factors present are placing in jeopardy the safety and welfare of the child or provider as enumerated in subdivision (i) of this section.

(e) [Ratio of children to provider] The ratio of children to a professional provider should be contingent upon:

(1) The degree of risk factors presents in each case;

(2) The nature of supervision required in each case;

(3) The number and ages of the children to be supervised during a visit;

(4) The number of people visiting the child during the visit;

(5) The duration and location of the visit; and

(6) The experience of the provider.

(f) [Conflict of interest] All providers should maintain a neutral role by refusing to discuss the merits of the case, or agree with or support one party over another. Any discussion between a provider and the parties should be for the purposes of arranging visitation and providing for the safety of the children. In order to avoid a conflict of interest, no provider should:

(1) Be financially dependent on the person being supervised;

(2) Be an employee of the person being supervised;

(3) Be an employee of or affiliated with any superior or municipal court in the county in which the supervision is ordered unless specified in the employment contract; or

(4) Be in an intimate relationship with the person being supervised.

(g) [Maintenance and disclosure of records] The professional and therapeutic provider should keep a record for each case, including but not limited to the following: (i) a written record of each contact and visit including the date, time, and duration of the contact or visit; (ii) who attended the visit; (iii) a summary of activities during the visit; (iv) actions taken by the provider, including any interruptions, termination of a visit, and reasons for these actions; (v) an account of critical incidents, including physical or verbal altercations and threats; (vi) violations of protective or court visitation orders; (vii) any failure to comply with the terms and conditions of the visitation as per subdivision (i) of this section; and (viii) any incidence of abuse as required by law.

(1) Case recordings should be limited to facts, observations, and direct statements made by the parties, not personal conclusions, suggestions, or opinions of the provider. All contacts by the provider in person, in writing, or by telephone with either party, the children, the court, attorneys, mental health professionals, and referring agencies, should be documented in the case file. All entries should be dated and signed by the person recording the entry.

(2) If ordered by the court, or requested by either party or the attorney for either party or the attorney for the child, a report about the supervised visit should be produced. These reports should include facts, observations, and direct statements and not opinions or recommendations regarding future visitation unless ordered by the court. A copy of any report should be sent to all parties, their attorneys, and the attorney for the child.

(3) Any identifying information about the parties and the child, including addresses, telephone numbers, places of employment, and schools, is confidential, should not be disclosed, and should be deleted from documents before releasing them to any court, attorney, attorney for the child, party, mediator, evaluator, mental health professional, social worker, or referring agency, except as required in reporting suspected child abuse.

(h) [Confidentiality] Communications between parties and providers of supervised visitation are not protected by any privilege of confidentiality. The psychotherapist-patient privilege does not apply during therapeutic supervision.

The professional and therapeutic provider should, whenever possible, maintain confidentiality regarding the case except when (i) ordered by the court; (ii) subpoenaed to produce records or testify in court; (iii) requested by a mediator or evaluator in conjunction with a court-ordered mediation, investigation, or evaluation; (iv) required by Child Protective Services; or (v) requested by law enforcement.

(i) [Delineation of terms and conditions] The sole responsibility for enforcement of all the terms and conditions of any supervised visitation is the provider's. The terms and conditions for any supervised visitation, unless otherwise ordered by the court, are as follows:

- (1) Monitor conditions to assure the safety and welfare of the child;
- (2) Enforce the frequency and duration of the visits as ordered by the court;

- (3) Avoid any attempt to take sides with either party;
- (4) Ensure that all contact between the child and the noncustodial party is within the provider's hearing and sight at all times, and that discussions are audible to the provider, unless a different order is issued by the court;
- (5) Speak in a language spoken by the child and noncustodial party;
- (6) Allow no derogatory comments about the other parent, his or her family, caretaker, child, or child's siblings;
- (7) Allow no discussion of the court case or possible future outcomes;
- (8) Allow no provider nor the child to be used to gather information about the other party or caretaker or to transmit documents, information, or personal possessions;
- (9) Allow no spanking, hitting, or threatening the child;
- (10) Allow no visits to occur while the visiting party appears to be under the influence of alcohol or illegal drugs;
- (11) Allow no emotional, verbal, physical, or sexual abuse; and
- (12) Ensure that the parties follow any additional rules set forth by the provider or the court.

(j) [Safety considerations for sexual abuse cases] In cases where there are allegations of sexual abuse, the following additional terms and conditions are applicable to all providers unless otherwise authorized by the court:

- (1) Allow no exchanges of gifts, money, or cards;
- (2) Allow no photographing, audiotaping, or videotaping of the child;
- (3) Allow no physical contact with the child such as lap sitting, hair combing, stroking, hand holding, prolonged hugging, wrestling, tickling, horseplaying, changing diapers, or accompanying the child to the bathroom;
- (4) Allow no whispering, passing notes, hand signals, or body signals; and
- (5) Allow no supervised visitation in the location where the alleged sexual abuse occurred.

(k) [Legal responsibilities and obligations of a provider] All providers of supervised visitation have the following responsibilities and obligations:

- (1) Advise the parties before commencement of supervised visitation that no confidential privilege exists;
- (2) Report suspected child abuse to the appropriate agency, as provided by law, and inform the parties of the provider's obligation to make such reports;
- (3) Implement the terms and conditions as per subdivision (i) of this section; and
- (4) Suspend or terminate visitation as per subdivision (m) of this section.

(l) [Additional legal responsibilities for professional and therapeutic providers] In addition to the preceding legal responsibilities and obligations, the professional and therapeutic provider should:

- (1) Prepare a written contract to be signed by the parties before commencement of the supervised visitation. The contract should inform each party of the terms and conditions of supervised visitation;
- (2) Review custody and visitation orders relevant to the supervised visitation;
- (3) Implement an intake and screening procedure as per subdivision (d)(2) of this section; and
- (4) Comply with additional requirements as per subdivision (n) of this section.

(m) [Temporary suspension or termination of supervised visitation] All providers should make every reasonable effort to provide a safe visit for the child and the noncustodial party. However, if a provider determines that the rules of the visit have been violated, the child has become acutely distressed, or the safety of the child or the provider is at risk, the visit may be temporarily interrupted, rescheduled at a later date, or terminated. All interruptions or terminations of visits should be recorded in the case file.

All providers should advise both parties of the reasons for interruption of a visit or termination.

(n) [Additional requirements for professional and therapeutic providers] The professional and therapeutic provider should also state the reasons for temporary suspension or termination of supervised visitation in writing and provide them to both parties, their attorneys, the attorney for the child, and the court.

Sec. 26.2 adopted effective January 1, 1998. Drafter's Notes 1998: - This standard was adopted to comply with Family Code section 3200. The standard provides the first statewide framework for providers of supervised visitation, encompassing the areas mandated in the statute: qualifications, experience, and education; safety and security procedures; conflicts of interest; maintenance and disclosure of records; confidentiality; delineation of terms and conditions; procedures for termination; and legal responsibilities and obligations for providers of supervised visitation.